

## New-York Daily Tribune

SATURDAY, FEBRUARY 14, 1863.

TO CORRESPONDENTS.  
No notice can be taken of anonymous communications. Whatever is intended for insertion must be accompanied by the name and address of the writer, and must be sent to the Editor, and not to the printer. We cannot undertake to return rejected communications. All business letters for this office should be addressed to "THE TRIBUNE," New-York.

## NEWS OF THE DAY.

## THE WAR.

—The Rebel advance in Mississippi is said to be at Okolona, trying to repair the railroad destroyed by Gen. Grant. By the way of Tusculum it is reported that the enemy have moved a large part of the Army of Virginia to Vicksburg, and also taken all the garrison of Mobile except 4,000 for police duty. The railroad from Selma to Meridian is completed, thus enabling the Rebels to rapidly concentrate their forces at Vicksburg.

—Maj. Gen. Fremont has, for the second time we believe, urged the Government to give him something to do—some active service. As he has no political pilgrimage on hand, he has come to the rather singular conclusion that his place is in the field. There is not much danger of the disease becoming epidemic.

—A dispatch from Cairo states that the forces on the east side of the Mississippi at Yazoo Pass, have been cut by the Union forces. They have also been cut at Greenville, and on the west bank opposite Lake Providence.

—The War Department has ordered a special court to inquire into the charges that Union officers have been concerned in traffic in cotton, &c., on the Mississippi. The court will meet at once at Cairo.

—Washington dispatches characterize the Rebel stories of disaffection in Gen. Banks's army as weak inventions of the enemy. The truth proves the exact reverse.

## GENERAL NEWS.

—In the United States Senate yesterday Mr. Wilson reported back the bill to raise additional soldiers for the service of the United States, with the recommendation that it do not pass, because the authority intended to be granted is sufficiently granted in the act approved July 17, 1862. This is the bill introduced by Mr. Sumner. The bill to withhold the pay of officers absent from duty was reported back. The bill to satisfy claims for damages done by Union troops in West Virginia was reported back. The resolution was passed to revive the act to secure to men actually employed in the Department of the West and Missouri their pay, bounty, and pensions.

A bill was reported to provide for an Assistant Treasurer of the United States; also a bill to give Inspectors of Customs at New-York \$1 per day. The bill to prevent correspondence with the Rebels was passed. A bill was offered for the reorganization of the Engineer Corps. The Ways and Means bill for the support of the Government was then taken up. An amendment was adopted making the interest on notes authorized by the bill, and certificates of indebtedness hereafter issued, payable in lawful money instead of coin; also, an amendment reducing the amount of notes to be issued to \$150,000,000 instead of \$300,000,000, including the amount issued by the resolution of January 17, 1863. The section allowing coupons on bonds and notes to be received for customs thirty days before and after due was stricken out. Motion was made to amend the proposed tax of 2 percent on the circulation of the banks, so as to make it 1 percent for two years, and 2 percent after that. It was adopted, 23 to 15. On the final vote the bill was adopted 32 to 15. The four yeas were the very malignant copperheads Corliss of Virginia, Powell of Kentucky, Richardson of Illinois, and Wall of New-York.

In the House, the Naval Appropriation bill was passed, after some amendments. The House agreed to the amendment striking out an appropriation of \$463,300 for the New-York Navy-Yard, and inserting \$1,243,000 for a sectional or floating dry dock, of sufficient size and capacity for raising any vessel now built. A bill to amend the several Confiscation acts was reported. A bill was introduced to provide a home for poor disabled and discharged soldiers.

—By the arrival of the schooner Louisa A. Johnson we have important news from Brazil. The British Minister, not obtaining the demanded satisfaction for some alleged grievances, instructed the English admiral to seize Brazilian vessels with a view to those indemnifying British subjects for pretended losses. The people in the empire were highly incensed against the British, but at length an agreement was arrived at, according to which the Brazilian Government paid the demanded sum of indemnification under protest, the captured Brazilian vessels were restored to their owners, and the case referred to the British Government and the Brazilian Minister at London for final settlement.

—By the arrival of the Etua at this port we have four days later news and foreign files from Europe. The most important part of the news is that which refers to the outbreak of a great revolution in Poland. It began in the second week in January, and several bloody conflicts, in which a Russian colonel was killed and a general wounded, have already taken place. Gen. Mieroslavski is at the head of the movement. The garrison of Warsaw has been increased to 40,000 men, and the Grand Duke Constantine is said to have demanded 50,000 new reinforcements. The last accounts which are, however, all from Russian sources represent the speedy suppression of the movement as highly probable. The French and English journals are discussing the French offer of mediation. Mr. Drouyn de Lhuys is said to have addressed another note to the Governments of London, St. Petersburg, Vienna, and Berlin, soliciting their cooperation. The *Dublin Freeman* has an account of a new vessel which purported to be a tender for the Alabama. The Alexandria correspondent of the *London Times* writes with regard to the negroes kidnapped by the French, that the Government of Egypt were preparing a batch of men to form a second mission, but the indignation of the British, American, and Austrian Consuls, beside the change of Government which has since intervened, rendered it altogether unlikely that the scheme would be executed.

—In the New-York Assembly yesterday, a bill was introduced to fix the State Capital in the City of New-York. Notice was given of a bill for a single-track railroad through Courtlandt and other streets. Under the pretense of appointing a short-hand reporter for the First Civil Judicial District Court of this City, a bill is put in to take the election of constables from the people, and give the Judges the power to select such officers. A small fight occurred on the reference of a bill for a railroad in Brooklyn, but it finally went to the Railroad Committee. Some resolutions on national affairs were introduced and referred.

—The Canadian Governor's speech was delivered to Parliament yesterday. It congratulated the country on the spirit, loyalty and zeal in the enrollment and organization of volunteers. If necessary, a bill will be submitted for the improvement and extension of the present militia system. Measures are to

be introduced for the adjustment of Parliamentary representation; the bankrupt law; respecting the administration of justice; the registration of titles, and the patent law.

—A striking illustration of the loyalty of the Illinois Legislature was given yesterday. In consequence of the defeat of the Canal Enlargement bill in Congress, resolutions were adopted authorizing the Governor to send Commissioners to the Canadian Parliament to ask for improved means of transportation to the Atlantic. Such an act is strictly forbidden by the United States Constitution, but the Confederates do not know, or do not care, for the restriction.

—The German Central Republican Committee met last evening. Theo. G. Glaubensky reported progress in reference to the organization of the Fifth Ward Association. Henry Richard submitted the report of the Special Committee on By-Laws, which, on motion of Alfred Erbe, was referred to the Executive Committee. The Chairman, Andreas Willmann, announced the Standing Committee for the year.

—Brigham Young, in his message to the Legislature of Deseret, complains that his State has not been admitted or recognized by Congress. Its population during the past season has been increased by several thousand immigrants, its southern settlements strengthened, cotton is to be grown, machinery has been imported especially for manufacturing wool, and there is every reason for encouragement as to future prospects.

—The mails for Europe via Southampton and Bremen, by the steamer *Hannan*, will close this morning at 10½ o'clock. The mails for Cuba, via Havana and New-Orleans, by the steamer *Roonoke*, will close to-day at 10½ o'clock a. m. The mails for Ireland by the City of Manchester, via Queenstown, will close at 10½ o'clock a. m.

—The Champion, from Aspinwall on the 4th inst., arrived here yesterday afternoon. She brings \$300,000 in gold, mails and passengers.

—A fire occurred in Norfolk, Va., on Thursday, by which the loss was about \$200,000.

—In the Stock market there was a fair amount of business yesterday, with no important change in prices. The Shares were steady generally. Governments were firm and in fair inquiry, touching 97 for the Coupons of 1861. At the Second Board the market was steady, without important change. Governments were a trifle off. At 4 o'clock the market was firm, without much activity. The foreign bill market was unsettled and not active. Sterling 170½-171. France 3.32½-33. Freight remains dull and heavy. In money the market is working easier at 6½-7 percent on call. The banks are lending rather more freely this week. Gold buyers, and no difficulty in supplying their wants. The Gold market has been rather active, between 159½-160, closing at 159½-160 on advance of 1½ p. cent since yesterday. Cotton House Notes are at 14½, having approached within 1½ p. cent of Gold. The usual difference has been about 5 p. cent. The One-year Certificates have been in good demand at 94½-95. Sixty-Thirties sold at 103.

## SEWARD TO DAYTON.

It is impossible for any fair mind to deny the force of the leading propositions embodied in Mr. Seward's latest published dispatch to Mr. Dayton—namely,

1. That in the Congress of the United States there exists a constitutional, responsible, authoritative and ever-open tribunal for the consideration and redress of any grievances experienced or asserted by the now insurgent States of our Union, and that the insurgents have only to lay down their arms and resume their seats in that body to obtain a fair hearing on any subject of controversy or difference with the loyal States. It might fairly be added that the States now in revolt have almost always commanded majorities in Congress, and have shaped the legislation and controlled the administration of the Government during at least two-thirds of the years which have elapsed since our Federal Union was perfected:

2. That the insurgent chiefs will consent to nothing short of a permanent and definitive disruption of our Union, and that the loyal States are not prepared to acquiesce in that disruption. If ancient Provence, Aquitaine, and Burgundy were to demand a dissolution of their Union with Normandy, Picardy, Brittany, &c., and to make this a *sine qua non* of peace, Napoleon might comprehend the difficulty of according to the requisition:

3. Mr. Seward's suggestion that "action in the crisis of a nation must accord with its necessities," and that of these necessities it must be the final judge, without much regard to what others, under other circumstances, may have done.

We do not feel so sure that consenting to meet Commissioners from the insurgent chiefs would have been in any sense a practical admission of their asserted independence. On the contrary we think this assumption might have been easily guarded against. And if the Government of the Union and its assailants had been brought to set forth, each for itself, and either directly or through recognized agents, its ultimatum or most favorable conditions on which it would make peace, we think an immense moral advantage would have been gained to the Union cause, if only by obtaining clear, official announcement of the fact that the insurgent chiefs will consent to no peace that does not involve the triumph of Disunion.

## THE COPPERHEAD CONSPIRACY.

We have already printed the more important resolves of the series reported by its Committee on Federal Relations to the Illinois Senate, proposing a mixed Convention of the Loyal and the Rebel States at Louisville to negotiate a peace; but their adoption by a full party vote in both Houses gives to these resolves an importance not hitherto accorded, and we print them in full on the second page of this paper. We do not see how they are one whit less exceptionable than open secession or revolution. They in effect set aside and supersede the Government of the United States. They propose terminating a War forced on the Nation by a conspiracy culminating in open treason through a treaty to which the National authorities are no party—which is negotiated in despite and ratified in defiance of them. If this movement succeeds, the old Union is thrust aside, and a new one, with a Constitution giving new guarantees and new advantages to Slavery, replaces it through a virtual revolution. If this movement succeeds, the National Debt will be repudiated, and New-England, if possible, kicked out of our country to coax South Carolina, if possible, back into it, with her heart still ranking with unrepented treason. Yet the *Herald* coolly misrepresents and welcomes it as follows:

vention of representatives from the Free States is progressing in the West. The Illinois Legislature has appointed a Committee to confer with those of Indiana, Kentucky, and other States, at Louisville, in the month of March, the foremost man in that Committee being a strong adherent of Mr. Lincoln, and heretofore a staunch Republican. Mr. Logan, the gentleman in question, it appears, took a prominent part in the November election, by urging all his friends to vote the Democratic ticket in order to save the country. Many other eminent politicians of Republican politics have been appointed on the same Committee. The meeting was opposed, but in vain, by the Abolitionists in the Legislature. It is expected that the States of Ohio, New-Jersey, Pennsylvania, and New-York will combine in this movement."

"Mr. Logan, the gentleman in question," is a Kentuckian by birth, an old-time Whig, once chosen to Congress, who acted with the Republicans up to the time of Mr. Lincoln's election, and, being delegated to the famous "Peace Convention" at Washington in February, 1861, went in promptly and heartily for the "Compromise" proposed by Senator Crittenden and endorsed by Editor Weed, whereby the great distinctive principle for which the Republicans had for seven years persistently contended was to be surrendered in the vain hope of thereby turning from its fixed purpose the slaveholding treason which had waited thirty years for the opportunity it had now shivered the Democratic party to secure, and which it had eagerly seized the very moment Mr. Lincoln's election had afforded it the long awaited pretext. Of course, "the gentleman in question" has since been acting with the Democratic party, "in order to save the country," and is now saving it by such devices as these Legislative resolves and this proposed Louisville Convention. He is just such "a staunch Republican" as these "eminent politicians of Republican proclivities" in our own State who went for Seymour last Fall, and helped crush out the 255,000 "hissing vipers" who stood by Gen. Wadsworth.

"It is expected," says *The Herald*, "that the States of Ohio, New-Jersey, Pennsylvania, and New-York will combine in this movement." If they do, the fate of the Republic is sealed. But the hopes of the wicked, will perish. *The Herald* "expected," in the Spring of '62, that the Middle and Western States would all adopt the Montgomery Constitution, except Jeff. Davis as President, and leave New-England out in the cold, to be provided over by Mr. Lincoln. That expectation was not realized, and this will follow in its footsteps.

## MR. TURPIE FOR LIBERTY OF THE LARGEST DESCRIPTION.

Many years ago the question "Have We a Bourbon Among Us?" agitated this continent, and also shook Putnam's Magazine to its midriff. Out of this excellent periodical, indeed, it assisted to shake the life; and his Bourbon fathers have also welcomed the Rev. Elizer Williams to the Elysian Fields. And now another interesting inquiry should, if we properly estimate its importance, shake society somewhat. Does some descendant of that exceedingly beastly but at the same time historically beatified autocrat, the Great Peter, not only reside in these accidental parts; but has he also the impudence to secure his election to the Presidency, of course, if at all, by the most infernal Muscovite arts? We ask these questions, because the eminent Conscript Father, Turpie of Indiana, said last Saturday night in the Senate: "The American Czar will find no serfs West of the Allegheny Mountains." Mr. Turpie is understood here to assert that Abraham Lincoln is a czar—a Russian out of his fur—a fugitive from Moscow—and that he is also the proprietor of a large number of serfs East of the Alleghenies. Now, considering Mr. Lincoln's most unmistakable American origin, betrayed by his manners, speech, history private and public, we ask if the chances are not against Turpie's theory? We go further. We ask if the presumption is not also against his sanity? Is it not the duty of the Senate at once to raise a Committee *De Lunaticis*, with power to send for surgeons and strait-jackets? That Turpie is stark mad on all subjects, we do not pretend to affirm; but it is evident that, for some reason or other, he had the largest kind of bee in his bonnet last Saturday evening.

For he not only bothered his brains, which are good enough brains, we suppose, when they are not bewildered—he not only maundered in making Mr. Lincoln a most outrageous and unconstitutional Czar, but he also mandered into another galvanic absurdity. "When," quoth Turpie, "one man is allowed to direct the army and navy without restriction, a military despotism is created"—which Turpie seemed to consider painful. This shows that he is much finer in his feelings than the men who framed the Constitution. That makes the Muscovite of the White House Commander-in-Chief of the Army and Navy; and it was hardly fair to call poor Mr. Lincoln to account for being what, upon a certain 4th of March, he swore to be. Really, in all reasonable matters, Turpie should be gratified; it isn't always safe to restrain gentlemen in his unfortunate frame of mind, for sometimes they burst vessels; but if Turpie doesn't know that the President is Commander-in-Chief, and that it is the business of the Commander-in-Chief to take the chief command without restriction, and that most military discipline is a quasi despotism, then he isn't very well acquainted with Caesar's Commentaries, the Military Works of Marshal Saxe, Vauban, Col. Napier, and Scott's Tactics; and, instead of the loches and straight-jackets which we should otherwise most decidedly recommend, let him be locked up, for a mild course of elementary reading in the Congressional Library. He will there learn that when a gentleman is unfortunate enough to be elected to the Presidency, he must assume a certain responsibility; and that he cannot, before ordering a retreat or an advance, before he commands field operations or marine movements, send a special messenger down to the Senate, not to take the advice, but to beseech the consent of the Hon. Turpie of Indiana. And yet this is the only reason why Turpie has fallen into a cracked condition—because he cannot be Commander-in-Chief. And Turpie isn't alone in his amusing hallucination. The country swarms with men who fondly fancy that if they could be elevated to Chief Command, the war would be over before April Fool's Day. We have noticed them and their antics with considerable

amusement. They all have theories. Some of them would put down the Rebels by d—g the Niggers; some of them by a National Convention, preceded, of course, by a General Order commanding the Union soldiers to lay down their arms and disperse; some of them by shooting before breakfast every military man who does n't believe Slavery to be a Divine Institution; some of them by a due distribution of pamphlets throughout the Confederate camps; some of them by hanging Garrison and suppressing *The Liberator*; some of them by this, and some of them by that, and some them by the other. As a general rule, these poor, insane unfortunates think that the most successful, thorough and decisive military movement would be their own election to offices with fat salaries thereunto attached. All this wealth of military genius is now quite wasted, for the simple reason that the country is not prepared to adopt Turpie's notion, which plainly is, that we should have about 1,000 Commanders-in-Chief, and that no movement should be made without the consent of two-thirds of the States, ascertained by the popular vote. What if we do not adopt this plan? O horror! We have "a military despotism." Well: we think even that is better than the crooked counsel of sour, fault-finding, selfish, ambitious, bad-hearted and small-headed critics, who mouse for faults, and are big-tongued as common-soldiers in criticism; who find all that they like, and nothing that they dislike, in the Constitution; and who would, if a kind Providence had not limited their powers of evil, soon lead us, through the preliminary experience of anarchy and confusion, into the very despotism which they deprecate. May they all be restored to their senses, and Turpie in particular!

## FOR WAR OR FOR PEACE.

Mr. D. A. Mahony, a Copperhead editor at Dubuque, Iowa, who was n't elected to Congress last Fall by a minority of 3,660, but who was arrested and imprisoned in Fort Lafayette as a disloyal, was among the listeners to John Van Buren's speech last Tuesday evening, and issues a card to say that it doesn't at all accord with his sort of Democracy. We shouldn't wonder. For, though John sails as near the wind as possible, and ventilates considerable nonsense on the subject of the Proclamation of Freedom and the conduct of the War, the drift of his speech undeniably favors standing by the Government of the United States until we can obtain a substitute from some less questionable source than the proposed Louisville Copperhead Convention. The strikes Mahony, fresh from the conclaves of the North-West, as little better than straight-out Abolitionism, and he says:

"I have waited for a few days to hear or see this presumption contrasted by some New-York Democrat, and as it has not been done I conclude that however indolent here and there may dissent from Mr. Van Buren, the masses of the Democratic party accord with him in the sentiments he expressed."

"It is this he, Mr. Editor, there is a vast chasm between the Democracy of the North-West, where I hail from, and that of New-York. Yes, of this State, according to Mr. Van Buren, are for a vigorous prosecution of the war; we of the North-West are for a vigorous prosecution of peace. \* \* \* I do not speak for the North-West but of it when I say that the people of that section, especially those of Illinois, Indiana, and Iowa, are opposed to a further prosecution of the existing war."

"The practical design of this communication is to produce concert of action, if there be harmony of sentiment between the conservative elements of New-York and of the North-West; and if there be that harmony of sentiment between us to let us understand each other. If Mr. Van Buren speaks for the Democracy here, I think I may say of the Democracy of the North-West that we are not with you—if he does not speak for you, we ought to be so informed in some manner more significant of dissent from his views than the individual utterances of disaffection which were heard on the occasion when he addressed the Democracy. It is true that Mr. Van Buren disclaimed speaking for the party, or indeed for any one but himself; but being invited to speak as a Democrat, before a Democratic association, which is presumed to embody such elements of the party as give a fair representation of its general character, it will be taken for granted that, though he spoke only for himself, the silent acquiescence of his hearers commit them to his sentiments."

## FRAUDS AGAINST THE GOVERNMENT.

It is reported from Washington that the law officers of the Government are of opinion that existing United States statutes provide no punishment for such swindles as the Van Wyck and Grimes Committees have exposed. If this is indeed so, ours is the Golden Age of Fraud; but we are slow to believe that no penalty can be exacted in such cases. Many of them involve acts which are crimes at common law, and against which it is impossible to suppose that penal statutes capable of being enforced do not exist. Perjury, forgery, obtaining money or goods under false pretenses, and the like, are tolerably familiar offenses, and they are all disgracefully common in dealing with the Government. There must be in some cases, at least, some means of bringing the guilty to justice.

A bill to prevent and punish frauds on the Government has been introduced into the United States Senate by Mr. Wilson, read twice, and referred to the Committee on Military Affairs. The bill was drawn with care by the Solicitor to the War Department. By its provisions, all contractors who furnish supplies to the Government are made a part of the land and naval forces of the United States, subject to army and navy regulations, and punishable by court-martial. They are not released from accountability, or from the

penalties prescribed in the act, by the adjustment or payment of their claims, but remain liable if subsequently evidence of their guilt is brought to light. Effectual as the provisions of this bill seem to be against frauds committed after its enactment, they are of course ineffectual against offenders whose accounts with the Government have already been audited and settled. Their punishment is not less important as a measure of public justice and of admonition to their successors than the passage of this bill is to the security of Government in the future. The bill should become a law at the earliest possible moment, but no hopes of its future effectiveness should relax the exertions of the officers of Government against those offenders in the past whom it is still possible to convict.

It is proper to add, in reference to the heading of the report of Senator Grimes, which was printed (exclusively) in Wednesday's *TRIBUNE*, that the frauds which that report exposed were not those affecting the Banks expedition contracts, but belonged to other expeditions, the inquiry into which was a part of the duty of the Committee which made the report. It should be understood that Mr. Vanderbilt, whose name has been generally connected with the Banks expedition, generously gave his services without charge, and that the report does not implicate him in any fraud or malfeasance. We make the explanation because some careless readers have been misled by a reference which was proper enough in its general bearing.

## KENTUCKY.

On Thursday last the Secessionists in the Legislature of Kentucky held a caucus at Frankfort and resolved to run Senator Lazarus W. Powell for Governor at the August election. Gen. Boyle's orders would not allow disloyal men to vote in Kentucky, for the past two years, but they now avow their determination to do so at all hazards. And, furthermore, they claim that Indiana and Illinois are pledged to assist them, and will send secret committees at an early day, to arrange the preliminaries. The sentiment of the caucus was a determined opposition to the further prosecution of the War, whether it be waged on constitutional principles or not.

The Union members also met in caucus last week, but dissolved without agreeing upon a policy, being unable to harmonize their conflicting views. The unconditional Union men want to run Gen. Rousseau for Governor and Kemp Goodlee, Senator from Woodford, for Lieutenant-Governor. The "Conservatives" will not agree to this on any terms, Rousseau, in their opinion, being an Abolitionist. Yet at Lancaster, Pennsylvania, the other day, General Rousseau said he was no politician, and that his political creed runs thus: "I support the Government, and the friends of the Government; I oppose the enemies of the Government, and the friends of the enemies of the Government."

Such principles, in the opinion of Kentucky Conservatives, favor too strongly of Abolitionism. These precious "Union men" cannot forget that two years ago, when Kentucky was preserving an armed neutrality, Rousseau declared that Kentucky must stay in the Union and send her quota to the war for its maintenance. When he commenced recruiting for the war, the "Union" politicians protested that his conduct would involve the State in the war. His friends in Louisville denounced him, and such men as Garrett Davis and John J. Crittenden condemned his recruiting service. But Rousseau, though compelled to establish his camp in another State, when the critical hour came, surrounded and saved Louisville and the Union men of Kentucky with the Rousseau Legion. But for his pluck and patriotism, Kentucky would have been surrendered long since to the Rebels. Of course, such a man could not command "Conservative" support.

## THE PERIL OF LIBERTY.

It is under cover of the great and sacred principles of liberty that the most dangerous assaults of the haters of Freedom are now made upon both the authority of the Government and the sacredness of private rights. Under the pretext of defending the Constitution, Northern sympathizers with Rebellion strike at the Administration, whose only aim is to protect the Constitution. Upon the plea of securing the rights of the citizen, a factions Opposition ventures upon measures in our halls of legislation which imperil the freedom of legislation itself, and inaugurates in our courts of justice methods which destroy the impartiality of our judicial administration.

The testimony of one of these methods is very ably pointed out in the charge of Judge Allison, recently printed in our columns, to the Grand Jury of Philadelphia. It will be remembered that, upon the arrest and release of Mr. Bodieau—an editor arrested for the publication of a very violent article against the Government and the War—Judge Ludlow directed the Grand Jury to bring in a bill against the Federal officer through whom the arrest had been made. This proceeding came up for review before the Court at its session on Monday last, and the presiding Judge took occasion to condemn it as one of injurious and fatal bearing upon those very liberties of the citizen which it was professedly designed to protect. Judge Allison showed that the action of Judge Ludlow, in directing the preparation of an indictment, was unauthorized by law, and was a gratuitous assumption of judicial authority, and in contempt of the usual methods of judicial proceeding. If such a measure were to become a precedent, any Judge might order a prosecution to be commenced by the Grand Jury without the knowledge of the party in whose name it was undertaken, and without the sworn accusation or complaint which is the only security of the secret proceedings of the Grand-Jury room against the most inquisitorial abuses. The very freedom of the Grand Inquest itself is invaded by a Judge who thus constrains the Jury to harass a patriotic officer with a gratuitous accusation.

This impudent defense of a party—who does not allege any grievance, and who is ignorant of the measures adopted in his name—

is moreover not made by the regular prosecuting officer, the District Attorney, but is directed by the Judge himself before whom the trial is to be held. He directs the investigation, shapes the charge, and sends the witnesses by whose ex parte testimony the obtrusive accusation is to be framed; and the same witnesses testify to the same charge before the identical Judge who framed and investigated it. This prejudicial hearing of a gratuitous and malignant accusation, this mockery of judicial proceedings, and outrage upon judicial forms, is to be substituted for the impartial justice which has heretofore been the honorable habit of our courts of law. It was the old and proud boast of an English court, that the Judge was counsel for the prisoner, and was bound to shield him from every abuse; in place of this humane and liberal sentiment, these professed defenders of personal rights give us a Judge who is the instigator of the proceedings, and both publicly and privately committed to the charge, on which he sits in judgment. Such crimes against the purity of our judicial system, are committed in the name of liberty!

One of the most important and significant lessons of history is that which teaches us to beware of the assumptions of despotism through our courts of law. It is not any naked and arbitrary violence by which liberty is in our day endangered. The old abuses are too well understood, and are in their very nature both too conspicuous and too odious to be endured. But the stealthy establishment of tyranny under forms of law dictated by partisan judges, and screened from public censure by the intricacies of legal proceedings, these are the true forms of the tyranny from which liberty has most now to fear. The violation of the principles of freedom in modern times has ever taken place under the sanction of interested and low-minded judges. The worst civil tyranny of English history was not the cruel caprice of Henry VIII., nor the arbitrary violence of Elizabeth; but the Court of Star Chamber under Charles, and the judicial murders of Judge Jeffries.

Nor can we omit to recall at this point the singular contrast of this case with another that will long live in judicial history. There was, a few years since, a peaceable and humane citizen of Pennsylvania who was thrown into a dungeon in the heat of Summer by a U. S. Judge, for advising a free woman to claim the liberty to which, by the laws of that State, she was entitled. But when Passmore Williamson asked for a habeas corpus for his release, it was refused him, on the ground that it would provoke a collision between the State and the General Government. No such scruple, however, withholds Judge Ludlow from his aim. He is ready enough—even amid the perplexities and agitations of a most cruel war—amid the machinations of concealed traitors at home plotting with avowed Rebels the subversion of the Government, to harass and impede that Government with groundless prosecutions of its officers for efforts in its defense. The man who loved freedom might not in a dungeon ere the Courts of Pennsylvania would interpose—even amid profoundest peace—in his defense; but a sympathizer with the Rebellion, who has reviled and misrepresented this patriotic war with a fullness of abuse not to be surpassed, is to be protected from arrest even at the cost of whatever collision with the General Government, by whatever outrage upon judicial forms, and at whatever sacrifice of judicial dignity.

Happily, the malignant aim has overbored its mark, and has called forth a judicial rebuke from Judge Allison, which cannot fail to be felt by the people at large, and which is honorable to the patriotic spirit alike of Judge Allison himself and of the State whose crimes he thus nobly and honorably wears.

## DIFFICULTY BETWEEN BRAZIL AND ENGLAND.

Another and a novel interference in American affairs by a European Power has just occurred in Brazil. The British Minister, being unable to obtain the desired satisfaction for some outrages said to have been committed on the soil of Brazil against British subjects, defiantly rejected the arbitration proposed by the Brazilian Government, took the law in his own hands, and instructed the Admiral commanding the British fleet in Brazilian waters to seize Brazilian vessels, and thus obtain redress. From Brazilian papers received yesterday by the arrival of the schooner Louisa A. Johnson, we learn the following particulars:

Mr. Christie, the British Minister at Rio Janeiro, by order of his Government, demanded payment for cargo and freight of the Prince of Wales, an English bark which had been shipwrecked on the coast of Albarao, in the Province of Rio Grande del Sul, in June, 1861, charging the inhabitants of the coast with having robbed the vessel. He also demanded satisfaction for the arrest of the chaplain and two officers of the English frigate *Forte*, in citizens' dress, in June, 1862, by the police of Rio de Janeiro.

The Government of Brazil did not consider that the British demands were supported by authentic facts, and, therefore, refused to make the payment claimed in the one case, and to give, in the other, the desired satisfaction. In consequence of this refusal the British Legation, on December 5, 1862, dispatched three notes to the Brazilian Minister of Foreign Affairs, to which it demanded a definite reply by the 20th of the same month.

As these notes did not bring forward any new argument in support of the British demands, the Brazilian Government in a note of December 29, after giving a detailed account of what had occurred, of the investigations that had been made, and of the explanations which had been offered to the British Legation, adhered to its former refusal. While it referred the final settlement of the question to the British Government and the Imperial Legation at London, it protested energetically against having any responsibility in the case of the Prince of Wales, and peremptorily declined payment, declaring, that if it should be forced to yield in the question of indemnification, it would only pay the sum demanded by the British Legation or the British Government under protest. In the case of the *Forte*